

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

REGINA ANKRAH and ISAAC OWUSU-
AFRIYIE, as CO-EXECUTORS OF THE
ESTATE OF ANGELINA OWUSU-AFRIYIE

PLAINTIFFS,

V.

THE UNITED STATES OF AMERICA,
KENNETH K. GERWECK, M.D. AND
SANDRA L. SALERNO, R.N.

DEFENDANTS.

CIVIL ACTION NO: 04-40249-FDS

**PLAINTIFFS' TALBE OF AUTHORITIES IN SUPPORT OF THEIR
OPPOSITION TO DEFENDANT, KENNETH K. GERWECK, M.D.'S MOTION
FOR SUMMARY JUDGMENT**

1. Fed. R. Civ. P. 56(c)
2. 28 U.S.C. § 1331
3. 28 U.S.C. § 1367
4. M.G.L. c. 258 § 1
5. M.G.L. c. 258 § 2
6. *Adickes v. S.H. Kress & Co.*, 398 U.S. 144 (1970)
7. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986)
8. *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986)
9. *Erie R.R. Co. v. Tompkins*, 304 U.S. 64 (1938)
10. *Nebraska v. Wyoming*, 507 U.S. 584 (1993)

11. *Carcieri v. Norton*, 398 F.3d 22 (1st Cir. 2005)
12. *Dykes v. Deputy, Inc.*, 140 F.3d 31 (1st Cir. 1998)
13. *Goldman v. First Nat'l Bank of Boston*, 985 F.2d 1113 (1st Cir. 1993)
14. *LeBlanc v. Great Am. Ins. Co.*, 6 F.3d 836 (1st Cir. 1993)
15. *O'Connor v. Steeves*, 994 F.2d 905 (1st Cir.1993)
16. *Chapman v. Bernard's Inc.*, 167 F.Supp.2d 406 (D.Mass. 2001)
17. *Kelley v. Rossi*, 395 Mass. 659 (1985)
18. *McNamara v. Honeyman*, 406 Mass. 43 (1989)
19. *Pruner v. Clerk of Superior Court in the County of Norfolk*, 382 Mass. 309 (1981)
20. *Smith v. Steinberg*, 395 Mass. 666 (1985)
21. *Mensah v. Goedken*, 2006 WL 1075453 (Mass. Super. April 4, 2006)
22. *Mills-Ort v. Germano*, 2006 WL 1360813 (Mass. Super. April 4, 2006)

Respectfully submitted,
Regina Ankrah and Isaac Owusu-Afriyie,
By their attorney,

/s/ David W. Suchecki
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